

1 **KANSAS BOARD OF VETERINARY EXAMINERS**

2 **KBVE Board Meeting**

3 **Wednesday, November 10, 2021 10:00 A.M.**

4 **In Person: Three Rivers Conference Room, Wamego, KS**

5 **By Zoom: By Invitation**

6 **Call to Order (D)iscussion/(A)ction:**

7 This meeting of the Kansas Board of Veterinary Examiners (KBVE) was called to order
8 at 10:00 A.M. by Board President Dodson. The meeting was held in person and by
9 Zoom. Board Members participating in addition to Dr. Dodson were Mr. Joe Allen (by
10 Zoom), Drs. Covington, Ekerberg, Flowers, Ritter and Snyder. Also present were Mr.
11 Randy Forbes, Konrad Coe, Matthew Provencher, Jessica Wrosch, and Dr. Jody
12 Johnson. Dr. Mark Olson, incoming Executive Director, was present in person. Also
13 attending by Zoom were Megan Kilgore from the Kansas Veterinary Medical Association
14 (KVMA), and Mary Berg and Angie Harris from the Kansas Veterinary Technicians
15 Association (KVTA).

16 Dr. Dodson asked for a motion to approve the agenda. Dr. Snyder moved the agenda
17 be approved and Dr. Ritter seconded the motion. Motion was unanimously approved.

18 Dr. Dodson welcomed those in attendance and introduced Dr. Mark Olson as the
19 incoming Executive Director. Dr. Olson introduced himself. Dr. Dodson then asked for
20 any public comments.

21 Megan Kilgore indicated that the KVMA was planning a conference to be held the
22 second weekend in February at the College of Veterinary Medicine at Kansas State
23 University. It would be a Friday to Sunday conference and include continuing education
24 and networking events. She indicated the KVMA Board would like the disciplinary action
25 placed in a different location on KBVE Website. The KVMA Board would also like to
26 know if a veterinarian was ever forgiven or could have a discipline expunged. Also if the
27 discipline was ever "aged out" and removed from the KBVE website after a certain
28 duration.

29 Mary Berg indicated the KVTA was in the midst of a new membership drive. New Board
30 members for the KVTA have been elected. The Governor of Kansas has declared
31 Veterinary Technician Week in Kansas to be October 17th to October 23rd.

32 As correspondence, Dr. Johnson read the letter from Dr. Tanner Miller from Louisburg,
33 Kansas, indicating his concerns with the future of large animal medicine in rural Kansas
34 due to the lack of large animal veterinarians and veterinary practices. Dr. Johnson
35 indicated a copy of the letter had also been sent to the KVMA and to the Dean of the
36 College of Veterinary Medicine.

37 Dr. Flowers moved the April 14th minutes be approved as written. Dr. Snyder seconded
38 the motion. The motion was approved with no dissenting votes.

39 Dr. Covington moved the May 27th minutes be approved as written. Dr. Flowers
40 seconded the motion. The motion was approved with no dissenting votes.

41 Dr. Snyder moved the July 14th minutes be approved as written. Dr. Covington
42 seconded the motion. The motion was approved with no dissenting votes.

43 Dr. Snyder moved the October 16th minutes be approved as written. Dr. Covington
44 seconded the motion. The motion was approved with no dissenting votes.

45 Dr. Flowers had previously sent her AAVSB Conference Highlights from the Denver
46 Conference of the American Association of Veterinary State Boards to the KBVE Board
47 members. She had included a section on Oregon's regulations concerning Telemedicine
48 and asked the question if a version of these could or should be added to our new
49 revisions of the regulations. She also suggested 5 items that could be easily added to
50 give transparency to the Board's activities. Four items were also covered in the session
51 on Veterinary Pharmacy Law that she found valuable. Mr. Forbes felt it was a very well
52 done event and appreciated the scholarship given to a certain number of attorneys
53 allowing him to attend. He had suggested to AAVSB that a small break out session for
54 attorney's only might be beneficial.

55 Mr. Allen suggested a letter be sent to the AAVSB thanking them for the scholarships
56 given to the Delegate and Alternate Delegate and the Attorney scholarship allowing Dr.
57 Flowers, Dr. Ekerberg and Mr. Forbes to attend the Conference and to thank the AAVSB
58 for what they provide to all of the organizations that belong.

59 The Board suggested that Dr. Covington be selected to attend the Board Basics and
60 Beyond to be held next spring and if there was available space, that Dr. Ekerberg should
61 also attend.

62 The section from K.S.A. 47-830 (f) was discussed. A suggested rewording based on the
63 language from the Healing Arts Act was provided to the Board members. Dr. Ritter
64 moved and Dr. Snyder seconded that the wording be inserted into K.S.A. 47-830 (f) so it
65 would read "failure to furnish the board or its investigators or representatives, any
66 information legally requested by the board or to provide a written response within the
67 time prescribed by the board to a written request made by the board pursuant to an
68 investigation by or on the behalf of the board." Motion was approved with no dissenting
69 votes.

70 The law based on House Bill 2066 which was enacted as of July 1, 2021 was again
71 discussed. The Kansas Attorney General's office was to issue some guidance for the
72 Agencies, however, due to the complexity of the law, it is now understood that no
73 guidance documents will be issued.

74 Dr. Snyder moved and Dr. Ritter seconded that the technician in scenario 1 be granted
75 the reinstatement of her Kansas registration. This technician previously held a Kansas
76 registration for 1 year and let it lapse. She has been continuously registered in another
77 state for many years, is non-military, and has no disciplines from that state. There was
78 no evidence that she had taken or passed the VTNE examination as it was not available
79 at the time of her graduation from an AVMA accredited veterinary technician program.
80 Motion was passed with no dissenting votes.

81 There was no action taken on the scenario of the technician who did not graduate from
82 an accredited veterinary technician program as this person had not completed the
83 number of hours working for a veterinarian which is required by the original state to
84 obtain registration. The technician has not applied for Kansas registration at this time.

85 The veterinarian who had been licensed in another state and is Board Certified yet has
86 not completed the fourth step of the American Veterinary Medical Associations' ECFVG
87 program would not be granted a Kansas license as that veterinarian had not met the
88 requirements for a Kansas license.

89 Dr Flowers moved and Dr. Snyder seconded a motion of granting a Kansas license to
90 the veterinarian who has been licensed in three states, yet did not have a Clinical
91 Competency Score (CCT) that was recognized as a passing score for Kansas in 1982.
92 The CCT was no longer given as an examination after 2000. Motion passed with no
93 dissenting votes.

94 Dr. Dodson presented an Impaired Veterinarian Complaint Protocol which could be
95 included in the KBVE Policy and Procedure Manual. Since 2018, there has been a
96 Memorandum of Agreement with the Heart of America Professional Network (HAPN) to
97 assist the Board with investigations concerning impaired veterinarians. Due to the need
98 to expedite these investigations to protect the public's health, safety and welfare, Dr.
99 Dodson would like to have this Protocol in place. Mr. Forbes suggested that one
100 member from each Probable Cause Committee be designated as the point person for
101 immediate action. Dr. Snyder moved and Dr. Flowers seconded that Dr. Dodson and Dr.
102 Ritter would be this designated point person for the current Probable Cause Committees
103 and the protocol accepted. Motion was approved with no dissenting votes.

104 MSO's (Management Services Organizations) run by non-professionals is not
105 considered to be a "professional corporation" as only professionals can be a member of
106 a professional corporation by Kansas law. A "For-Profit" organization cannot own a
107 medical practice in Kansas. A contract can be made between a veterinarian and an
108 MSO however the documents need to outline who is making the ultimate call on medical
109 issues and the MSO cannot influence or limit the professional's judgement.

110 There is no statute or regulation that states a policy on charging for a prescription written
111 by a veterinarian in the state of Kansas. No action was needed.

112 The Board members felt that both the Administrative Specialist and the Executive
113 Director should both sign off on deposits and payments. No action was needed.
114 Dr. Johnson had already been give authority to have the requested information inserted
115 into the application for the registration of a Veterinary Technician.
116 Mr. Forbes gave a brief up-date on the AAVSB meeting he attended.
117 Jessica Wrosch was introduced as the new Administrative Specialist.
118 Konrad Coe presented his inspection report.
119 Matthew Provencher presented his investigation report.
120 Dr. Johnson thanked the Board for her time as Executive Director of the KBVE.
121 After a brief discussion the next Board meeting will be January 26 and 27 in Topeka.
122 The following Board meeting will be on April 6, 2022 in Wamego.
123 Dr. Flowers moved the meeting be adjourned and Dr. Ritter seconded the motion.
124 Motion passed with no dissenting votes.
125 Meeting was adjourned at 12:16 P.M.

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128

Sheila M. Dodson

Date

1/26/22